

**From:** [Butler, Elizabeth](#)  
**To:** [Stephen Kehayes](#)  
**Subject:** Re: LA BDA MOU  
**Date:** Monday, September 13, 2004 10:28:49 AM

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Hi Steve.

Here's the language that was proposed for "c":

c. Any action proposed for the properties at 80/120 Lister Avenue shall recognize that the remedy currently in place pursuant to the above-referenced Consent Decree is an interim, not a final, remedy and no action implemented shall in any way compromise this remedy in its protection of human health and the environment.

Please give me a call if there are any problems or if you need any assistance on this end.

Thanks.

Elizabeth

**Stephen Kehayes <[Stephen.Kehayes@dep.state.nj.us](mailto:Stephen.Kehayes@dep.state.nj.us)>**

09/13/04 09:26 AM

To: Elizabeth Butler/R2/USEPA/US@EPA

cc: Freiserj@ci.newark.nj.us, Ken Kloo <[Ken.Kloo@dep.state.nj.us](mailto:Ken.Kloo@dep.state.nj.us)>, Patricia Hick/R2/USEPA/US@EPA, Phyllis.Bross@law.dol.lps.state.nj.us

Subject: Re: LA BDA MOU

Hi, Elizabeth. I don't have item c language. Would you please forward

it as soon as you can? I must run it by Phyllis, our DAG.

I've already noticed the BDA group that we had agreement and asked them

to set up the signing. If I can get the change to them quickly, perhaps

the revision is no big deal. Thanks for your help.

>>> <Butler.Elizabeth@epamail.epa.gov> 09/08/04 05:22PM >>>

Hi Steve.

I left a voicemail for you, but I'm guessing maybe you didn't receive it? It said that I spoke with Pat and she really believes that we need

item c in paragraph 23. I have that language and I can send it to you

but it is not currently in the version you sent out below. Please give

me a call if this is a problem.

Thanks.

Elizabeth

Stephen  
Kehayes

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To:  
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tate.nj.us>  
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cc:  
jonesj@ci.newark.nj.us, Ken Kloo

09/08/04 04:46 PM  
<Ken.Kloo@dep.state.nj.us>, Elizabeth

Butler/R2/USEPA/US@EPA,

Phyllis.Bross@law.dol.lps.state.nj.us

Subject: LA BDA

MOU

NJ DEP & US EPA have agreed on MOU language that defines the EPA role  
in

the BDA. It is paragraph 23 of the attached copy.

Joel, this is the final text copy, ready to go. Would you please  
coordinate the Steering Committee signing and Initial Meeting? I'll  
help with DEP & EPA ccoordination. Please contact me with questions.  
Thank you.

Let's roll! (finally)

Stephen Kehayes

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(See attached file: MOU 2004-09-08 Final.doc)